



The Bigger, Better Network.

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November 24, 2009

Mr. David Archbold
Managing Director
Information, Communication & Technology Authority
P.O. Box 2502, 3rd Floor Alissta Towers
Grand Cayman KY1-1104
Cayman Islands

Dear Mr. Archbold,

Re: Interconnect Billing System and MTR

We are making the claim for confidentiality under regulation 3(b) and (d) of the Information and Communications Technology Authority (Confidentiality) Regulations 2003.

The information comprises an offer by LIME to us to settle certain costs which they have determined to be costs for Joining Service necessary for the provision of direct M2M connection. The offer includes certain capital expenses which LIME determines to be the cost of network configuration and which are re-imburseables in consideration of the direct M2M connection. The details of the offer was submitted to us under confidential cover by LIME as part of the private commercial negotiations on a dispute confined to the two operators and is treated as such by us. It is information which is the property of LIME which records costs it has estimated it will incur in order to provide an essential part of the direct connection we believe we are entitled to. It is shared internally in Digicel by only those officers who are directly involved in the negotiations and on a need to know basis. As information not generally shared by LIME with and available to the public, it is confidential under regulation 3(b).

The disclosure of this information would disclose direct costs of a competitor (LIME) and as these are costs which could conceivably form part of Digicel's costs and hence influence its retail rates, it could disclose to our other competitors, important commercial information. This would compromise the competitive edge both Digicel and LIME have in the market over all other operators.



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Further, as information submitted to us as part of confidential private negotiations, **and received by us as such**, unauthorized disclosure will expose us to action at the instance of the owner of the said information. At the very least, the Authority should allow us to seek LIME's consent to the publication of the commercial information in our submission. We believe therefore the information to be confidential pursuant to Regulation 3 (d) (ii) & (iii).

The information is live and relevant from the initial date of submission of our letter to the present and will continue to be so as long as the information is material to the provision of or the negotiation of direct M2M connection.

We are therefore submitting that the attachment to our letter is confidential and the contents should not be disclosed at no time whatsoever.

A redacted version is therefore submitted.

Yours truly,
Digicel (Cayman) Limited

A handwritten signature in black ink, appearing to read "Victor Corcoran", followed by a horizontal line.

Victor Corcoran
Chief Executive Officer

Confidential information

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